

Adopted Minutes
Spanish Fork City Planning Commission
January 13, 2016

Council and Commission Members Present: Mayor Leifson, Councilman Gordon, Councilman Mendenhall, Councilman Argyle, Councilmember Beck, Chairman Brad Gonzales, Bruce Fallon, Treaci Tagg, Brad Tanner, Brad Wilkinson, Jens Nielson. **Absent:**

Staff Members Present: Dave Anderson, Community Development Director; Junior Baker, City Attorney; Dave Oyler, City Manager; Seth Perrins, Assistant City Manager; Kimberly Brenneman, Community Development Division Secretary.

Citizens Present: Kellie Lee, Zachary Huish, Carter Lee.

Dave Anderson called the meeting to order at 6:16 p.m.

Chairman Gonzales addressed the Council and Commission regarding the map of the City. He stated that the Commission broke out into two groups to discuss what design standards should be for high density residential and where the best places for Business Park, high density and senior living should be throughout the City. Chairman Gonzales covered some of the aspects the Planning Commission looked at when determining the placement of the three zones spelt out.

Councilman Gordon asked for the definition of retirement living.

Chairman Gonzales stated it is not defined. The Commission cannot assign senior zoning housing.

Junior Baker stated that according to the fair housing act the City can zone an area for 55 and older.

Dave Anderson stated that the three things that are highly sought after are storage units, high density housing, and senior living.

Commissioner Wilkinson stated that, to do a proper high density project a developer needs more than a couple of acres, and they would blend into the community.

Junior Baker stated that in a land use conference there was a presenter that shared a study showing young professionals are looking at nice places with no kids and want to go play. The second group is empty nesters who want to travel and not have a home to take care of. However, both groups want the high end finishes.

Councilman Gordon asked when the Springville senior living project was built and if it is sold out.

47 It was believed the project was built in 2009 and that there is currently a waiting list for units.
48
49 Mayor Leifson stated that he spoke to the lady who owns the property behind Shopko, within
50 the last 6 months, stating that she would like to do some kind of duplex development.
51
52 Chairman Gonzales stated that around the interchanges it is a good idea to build high density
53 residential housing and business parks.
54
55 Councilman Gordon said to look at proximity to the trail and try to tie into it.
56
57 Chairman Gonzales transitioned to Mixed Use. He stated the Commission is interested in
58 splitting up the mixed use designation into 3 categories: side by side uses, stacked mixed use
59 and the current mixed use designation.
60
61 Commissioner Nielson asked for the difference between Mixed Use and Commercial Urban
62 Village.
63
64 Dave Anderson stated that the Commercial Urban Village is a zone designation and the Mixed
65 Use designation does not correlate to a zone.
66
67 Chairman Gonzales asked if the Council was interested in the Commission pursuing that
68 language.
69
70 Councilman Mendenhall asked what developers have asked for. Does it help channel the
71 development in areas or does it limit it by saying only certain things can be done?
72
73 Commissioner Neilson stated the idea is developers do not always want to mess with the
74 zoning and they just want to build.
75
76 Councilmember Beck stated her client, Edge Homes, spoke to her about building high density
77 townhomes and they are looking in south Utah County. They wanted to build in Spanish Fork
78 but there is not anything available.
79
80 Dave Oyler stated the language cannot be so specific and there needs to be balance to set a
81 vision but not so tight that a developer is limited.
82
83 Mayor Leifson stated the City needs to be flexible. Developers will not spend a lot of money
84 unless they will get a return on their money. The City needs to be able to work with
85 developers.
86
87 Chairman Gonzales stated it is good perspective because the Commission is more restrictive
88 then the City Council and they need to be more lenient.
89
90 Commissioner Wilkinson would like to be a developer friendly City, but does not want the
91 developers to run wild. Architecture is a good place to start a standard. As an example what is
92 the durability of the materials used in the project.

93
94 Commissioner Tagg stated the Commission has been talking about mixed use for some time
95 and the discussions led the Commission to create two definitions of mixed use as it depends on
96 the area of what kind of mixed use should be used.
97
98 Councilman Gordon asked how much of the CPAT's report played part in the mixed use vision.
99 He does not remember seeing it make sense financially.
100
101 Dave Anderson stated that is correct for today. Their analysis was only on the downtown area
102 and not throughout the City.
103
104 Chairman Gonzales spoke of the Ludlow zone change. When the Commission reviewed the
105 project they were not opposed to the concept other than the house on the corner was not part
106 of the General Plan. He wanted to discuss with the Council about the precedent that was set
107 by changing the zone. The whole blocks integrity has not been changed.
108
109 Dave Oyler pointed out that the General Plan is fluid and the Mixed Use designation goes
110 through half the block. Two-thirds of the block has already been designated on the General
111 Plan as Mixed Used, which includes commercial uses. Commercial is not just retail but office
112 as well.
113
114 Dave Anderson stated from a General Plan perspective when the language was re-written it
115 was done so to give the Council and Commission enough latitude to determine what zoning
116 designation should be assigned.
117
118 Commissioner Tanner stated there was a lot of pushback from the neighbors and the
119 Commission wishes they had a more specific plan for the future, so that the Commission can
120 relay that information to the community.
121
122 Dave Oyler stated that is what the General Plan is for. If the City wanted to keep the whole
123 block residential then the General Plan would be residential.
124
125 Mayor Leifson stated the one neighbor who opposed the zone change is in the Mixed use zone.
126
127 Commissioner Wilkinson stated it is difficult to have the transition in the middle of the block.
128
129 Seth Perrins stated the block can be all residential or all mixed use or both, that is how the
130 general plan was written.
131
132 Chairman Gonzales stated he would like to have a unified vision with the City Council.
133
134 Commissioner Fallon stated it can be good to have a different perspective.
135
136 Junior Baker stated it is important to remember the Commission is a recommendation body. It
137 is healthy to have differences of opinion. Keep in mind as an advisory body that as long as the
138 two bodies do not disagree on every project it is okay. There needs to be some work together

139 but sometimes there will be disagreements and the Commission does not need to be upset by
140 that.
141
142 Chairman Gonzales stated that the Commission would like to know reasons why the Council
143 decides the way they do. In all decisions made by both Council and Commission it is important
144 to state the reasons why they make those decisions.
145
146 Councilman Mendenhall stated in reading the meeting minutes, more than 75% of the time
147 some of the questions are answered between the Commission meeting and the Council
148 meeting.
149
150 Commissioner Fallon stated the Commission sometimes misses the resolve between the
151 meetings.
152
153 Dave Oyler stated over the years the General Plan has fluctuated depending on the enthusiasm
154 of the Commission and City Council. It is dependent upon personalities as well.
155
156 Commissioner Fallon stated he will be running through the architectural features of the high
157 density zone regarding look and feel.
158
159 Dave Anderson stated the Commission has worked hard with the need for zoning to allow a
160 developer to build contemporary housing units that are not low income housing and are aimed
161 at the high end of the quality scale and low turnover rate. This is something that will increase
162 in value over time. There currently is not that type of project in the community today.
163
164 Junior Baker stated the State requires every City to have a moderate housing income area.
165 The City has enough moderate housing that the City has room to grow the high end housing.
166
167 Commissioner Fallon stated that there is language Dave Anderson has put together for
168 developers. The Commission liked the idea of having a detailed picture reference of what the
169 Commission likes and does not like. Over the last few months the Commission has taken some
170 trips to various complexes to take pictures of the projects along with features they liked and
171 did not like. The Commission discussed the height of the complexes and the idea of 2-3 story
172 mix of units within the complex but not having all three story structures. Also, the Commission
173 would like to see variations of materials and architecture. The idea is to have the project be
174 timeless.
175
176 Commissioner Fallon stated the Commission has looked at the open space aspect of projects
177 and have determined that a landscape architect should be required to submit the landscape
178 plan.
179
180 Mayor Leifson exited the meeting at 7:32 p.m.
181
182 Chairman Gonzales stated that the feel of the open space is to be a neighborhood and not an
183 apartment feel.
184

185 Councilman Argyle stated there are good projects but it comes down to the owners and the
186 tenants who maintain the project.
187
188 Dave Anderson stated the size of projects matter and 10-12 acres are needed for a
189 neighborhood feel and to provide open space and amenities along with the project scale. 200
190 units seem to be the key number developers are looking for.
191
192 Mayor Leifson returned to the meeting at 7:34 p.m.
193
194 Councilman Argyle stated landscaping plays a part in the design and keeping projects looking
195 nice over time.
196
197 Mayor Leifson stated by designing a high end project it can demand a higher rent.
198
199 Commissioner Wilkinson stated the standard needs to be set high and not start with the middle
200 of the road project.
201
202 There was discussion of projects within the City and having the amenities built with the first
203 phase of development.
204
205 Mayor Leifson stated the pictures are a good idea. He also stated he would like to see parking
206 located in the back that have garages and he liked the balcony concept.
207
208 Councilman Argyle stated there are some projects behind Walmart in Springville and there is
209 an extreme diversity of transition from apartments to twin homes.
210
211 Mayor Leifson stated he likes the variations of the roof lines.
212
213 Councilmember Beck stated that having visitor parking is important.
214
215 Councilman Gordon asked how many parking stalls are required for the complexes.
216
217 Commissioner Fallon stated the standard is based on the number of rooms in a unit.
218
219 Dave Anderson stated that the City code currently states the parking is based on the number
220 of units not rooms within units.
221
222 Commissioner Tanner addressed the Commission and Council regarding various projects the
223 Commission reviews. He gave examples of the Casey zone change, Beehive Homes and
224 Trailside. How can the City work with property owners to help projects move forward? There
225 used to be a Board of Adjustments to help protect the City from liability but help property
226 owners.
227
228 Junior Baker gave some history of the Board of Adjustments. Most cities and counties used
229 them for variances. Variances are very difficult to obtain when meeting the state standard.
230

231 Brad Gonzales exited the meeting at 8:02 p.m.
232
233 Commissioner Wilkinson asked why the City is in conformance with the variance.
234
235 Junior Baker stated he might answer that after laying out the law. In the history there used to
236 be many variances. Most of the ones granted should not have been granted. Junior Baker
237 detailed an experience that happened years ago where the City sued the Board of
238 Adjustments.
239
240 Dave Oyler stated the challenge with the Board of Adjustment and Planning Commission as
241 they are sympathetic and want to help and it makes it difficult for the City to rely on lay
242 persons to make these decisions.
243
244 Junior Baker stated anyone has the right to appeal the decision of the variances. In 2009,
245 there was an act that stated the City and County no longer need to have a Board of
246 Adjustments. In the five years before 2009 the Board of Adjustments met a few times and
247 determined the Board of Adjustments be dissolved. Since 2009, there have been 2 or 3
248 variances that have been asked for. The Council is the legislature and they make the rules.
249 Variances are not the best way to handle items and the ordinance needs to be changed. If the
250 Commission sees things that need to be changed, make a list and send it to the City Council to
251 change the language of the ordinance by doing a conditional use.
252
253 There was discussion of the Conditional Use Permit process that was required for accessory
254 apartments and how the language has changes to an approved use with conditions.
255
256 Junior Baker stated it is safer to proceed with ordinance changes instead of going through the
257 variance processes.
258
259 Dave Oyler stated the most expensive insurance issue for the City is land uses and the second
260 is personnel.
261
262 Commissioner Wilkinson stated the hard part is to think that zoning and text needs to be
263 changed for an individual and it has to change throughout the whole City. He gave the example
264 of the Paul Casey zone change.
265
266 Junior Baker stated that Paul Casey does not meet the standard to apply for a variance.
267
268 Commissioner Tanner stated he wanted to talk to the Council regarding how to help the
269 citizens.
270
271 Seth Perrins stated sometimes the best way to help the resident is to help them through the
272 process legally.
273
274 Dave Oyler stated there is a balance to the "red-tape" in working with developers, yet
275 protecting the City from liability.
276

277 Dave Anderson appreciated the sentiment of the Commission trying to work with the residents.
278 Regardless, the City does adjust the land ordinance to try to work with residents in the
279 community.

280
281 Mayor Leifson stated he liked getting the Council and the Commission together.

282
283 Commissioner Tagg spoke about the vision of what the Council may want to see in areas in the
284 City. She gave the example of the Ludlow zone change. She thinks there may be other parts
285 of the City where the Council may want to see certain things in the area, an example is 2700
286 North. Does the City want to wait for developers to drive the vision or should the Commission
287 create the vision first and have a unified vision with the City Council?

288
289 Mayor Leifson stated that he thinks it is good to create a vision around areas.

290
291 Commissioner Fallon asked if there is direction the Council would like the Commission to move
292 forward with.

293
294 Mayor Leifson stated the high density is the first item that should be on the list.

295
296 Councilman Gordon stated he appreciates the Commission for taking time to look at different
297 projects.

298
299 Dave Oyler stated he commends the Commission for looking at the future.

300
301 Seth Perrins appreciates the level of detail and consideration.

302
303 Mayor Leifson moved to adjourn meeting at 8:20 p.m.

304
305
306 Adopted: March 2, 2016

307
308 _____
Kimberly Brenneman
Community Development Division Secretary